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U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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Arthur J. Behiel, State Bar No. 172165
Thomas W. Lathram, State Bar No. 59639
SILICON EDGE LAW GROUP
7401 Koll Center Parkway, Suite 280
Pleasanton, California 94566
Telephone: (925) 461-2616
Facsimile: (925) 461-0961

Counsel for Plaintiffs
MANGOSOFT, INC.
MANGOSOFT CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

C03 03089
Civil Action No. C

RS

MANGOSOFT, INC. and
MANGOSOFT CORPORATION

Plaintiffs,

v.

ORACLE CORPORATION, SUN
MICROSYSTEMS, INC., DELL
COMPUTER CORPORATION, and
ELECTRONIC ARTS INC.

Defendants.

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiffs, Mangosoft, Inc. and Mangosoft Corporation (together "Mangosoft" or
"Plaintiffs"), as and for their Complaint against Defendants Oracle Corporation, Sun
Microsystems, Inc., Dell Computer Corporation and Electronic Arts Inc. (collectively
"Defendants"), allege as follows:

COMPLAINT FOR PATENT INFRINGEMENT

1 **COUNT II**

2 (Infringement of U.S. Patent No. 5,918,229)

3 15. The allegations of paragraphs 1 – 14 above are incorporated herein by
4 reference.

5 16. This claim is made under the provisions of the patent laws of the United
6 States, 35 U.S.C. § 271 et seq.

7 17. Mangosoft Corporation, a wholly owned subsidiary of Mangosoft, Inc., is
8 the owner of U.S. Patent No. 5,918,229 (“the ‘229 patent”) that was duly and legally issued
9 on June 29, 1999 and is entitled “Structured Data Storage Using Globally Addressable
10 Memory”.

11 18. In violation of one or more provisions of 35 U.S.C. § 271, Defendants have
12 infringed, and continue to infringe one or more of the claims of the ‘229 patent by making,
13 using, selling and/or offering for sale, *inter alia*, software, including Oracle 9i and 10i Real
14 Application Clusters (“RAC”), Sun’s Solaris SPARC/Solaris x86/Linux systems with
15 Oracle RAC, Dell’s Best Practices Configurations featuring Oracle 9i RAC, Oracle RAC
16 with Dell/EMC storage, Dell’s use of RAC in its Sales Operational Data Store (ODS) and
17 EA’s The Sims Online in this judicial district and elsewhere.

18 19. Defendants’ acts of infringement are willful.

19 20. Defendants’ acts of infringement have caused reparable and irreparable
20 damage to Plaintiffs and Plaintiffs will continue to suffer damage unless Defendants are
21 enjoined.
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23 **PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiffs pray that the Court:

25 A. Enter judgment that Defendants have infringed U.S. Patent Nos. 6,148,377
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1 and 5,918,229.

2 B. Enter judgment that Defendants' acts of patent infringement are willful;

3 C. Temporarily, preliminarily and permanently enjoin Defendants, their parents,
4 subsidiaries, affiliates, divisions, officers, agents, servants, employees, directors, partners,
5 representatives, and all parties in active concert and/or participation with Defendants, from
6 engaging in the aforesaid unlawful acts of infringement, including but not limited to Oracle
7 and Sun's global consolidation program;

9 D. Order Defendants to account for and pay to Plaintiffs all damages caused to
10 Plaintiffs by Defendants' unlawful acts;

11 E. Award Plaintiffs increased damages and attorney fees pursuant to 35 U.S.C.
12 §§ 284 and 285;

13 F. Award Plaintiffs their interest and costs incurred in this action; and

14 G. Grant Plaintiffs such other and further relief as the Court may deem just
15 and proper.

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18 **DEMAND FOR JURY TRIAL**

19 Plaintiffs demand a jury trial of all issues triable of right by jury.
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CERTIFICATION OF INTERESTED ENTITIES OR PERSONS

Pursuant to Civil L.R. 3-16, the undersigned certifies that as of this date, other than the named parties, there is no such interest to report.

MANGOSOFT, INC.

-and-

MANGOSOFT CORPORATION

Dated: July 2, 2003

By:



Arthur J. Behiel, State Bar No. 172165
Thomas W. Lathram, State Bar No. 59639
SILICON EDGE LAW GROUP
7401 Koll Center Parkway, Suite 280
Pleasanton, California 94566
Telephone: (925) 461-2616
Facsimile: (925) 461-0961

-and-

Paul J. Hayes, Esq.
Joseph P. Messina, Esq.
David Crosby, Esq.
Robert R. Gilman, Esq.
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.
One Financial Center
Boston, MA 02111
Telephone: (617) 542-6000
Facsimile: (617) 542-2241

Attorneys for Plaintiffs